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TRANSMITTAL  
FORM

(To be used for all correspondence after initial filing)

		Application Number	10/558,939
		Filing Date	December 1, 2005
		First Named Inventor	HOFMANN
		Art Unit	
		Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number	3827-144

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> <input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> postcard
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<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-0951.		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Peter A. Chiabotti, Registration No. 54,603 Akerman Senterfitt, Customer No. 30448
Signature	
Date	May 15, 2006

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Peter A. Chiabotti
Signature	
Date	May 15, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /C.F./



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of HOFMANN et al.

Confirmation No. 7234

Application No. 10/558,939

Examiner:

Filed: December 1, 2005

Group Art Unit:

For: DEVICE AND METHOD FOR CONTROLLING A THICK MATTER PUMP

**INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR §1.97(b)**

**CERTIFICATE OF TRANSMISSION/MAILING**

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Peter A. Chiabotti Reg. No. 54,603

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO/SB/08A are hereby brought to the attention of the Examiner for independent evaluation. In accordance with the Rules in effect for applications filed after June 30, 2003, copies of U.S. patents and/or patent application publications are not enclosed. The references were cited in part in a German Search Report issued on a corresponding German application and in part in an International Search Report. The International Search Report identified DE3840892, US 5,330,327, DE3910120 and DE19542258 as "A" references. The German Search Report identified DE19542258 and US 5,388,965 as "A" references and identified DE3814824 and US 5,401,140 as "Y" references. DE19542258 is also discussed in the background of this application.

English language equivalents of the foreign language references are listed on form PTO/SB/08A as follows: US 5,344,290 is an English language equivalent of DE3840892; US

5,238,371 is an English language equivalent of DE3910120; US 6,171,075 is an English language equivalent of DE19542258; and US 5,209,649 is an English language equivalent of DE3814824.

A copy of each Search Report is also enclosed, which satisfies the requirement for a concise explanation of foreign language references.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Applicants respectfully request that the listed documents be considered by the Examiner and made of record in the present application and that an initialed copy of form PTO/SB/08A be returned in accordance with MPEP §609.

Certification

This Statement is being filed prior to the issuance of the first Office Action for the present application, and this paper is thus submitted in accordance with 37 CFR 1.97(b).

In view of the above certification, a fee is not required for consideration of this document. Nevertheless, should a fee be deemed to be due by the Commissioner, such fee should be charged to Deposit Account No. 50-0951.

Respectfully submitted,

**AKERMAN SENTERFITT**

Dated: May 15, 2006



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Docket No. 3827-144

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Substitute for form 1449/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

of 1

***Complete if Known***

Application Number	10/558,939
Filing Date	December 1, 2005
First Named Inventor	HOFMANN
Art Unit	
Examiner Name	
Attorney Docket Number	3827-144

U.S. PATENT DOCUMENTS

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**FOREIGN PATENT DOCUMENTS**

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**Examiner/Signature** /Charles Freay/ **Date Considered** 01/23/2009  
**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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